

111TH CONGRESS  
1ST SESSION

# S. J. RES. 19

---

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2009

Referred to the Committee on the Judiciary

---

## JOINT RESOLUTION

Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the

Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

1       *Resolved by the Senate and House of Representatives*  
 2       *of the United States of America in Congress assembled,*  
 3       **SECTION 1. CONSENT OF CONGRESS TO COMPACT AMEND-**  
 4       **MENTS.**

5       (a) CONSENT.—Consent of Congress is given to the  
 6       amendments of the State of Maryland, the amendments  
 7       of the Commonwealth of Virginia, and the amendments  
 8       of the District of Columbia to sections 5, 9 and 18 of title  
 9       III of the Washington Metropolitan Area Transit Regula-  
 10      tion Compact.

11      (b) AMENDMENTS.—The amendments referred to in  
 12      subsection (a) are substantially as follows:

13               (1) Section 5 is amended to read as follows:

14           “(a) The Authority shall be governed by a Board of  
 15      eight Directors consisting of two Directors for each Signa-  
 16      tory and two for the federal government (one of whom  
 17      shall be a regular passenger and customer of the bus or  
 18      rail service of the Authority). For Virginia, the Directors  
 19      shall be appointed by the Northern Virginia Transpor-  
 20      tation Commission; for the District of Columbia, by the

1 Council of the District of Columbia; for Maryland, by the  
2 Washington Suburban Transit Commission; and for the  
3 Federal Government, by the Administrator of General  
4 Services. For Virginia and Maryland, the Directors shall  
5 be appointed from among the members of the appointing  
6 body, except as otherwise provided herein, and shall serve  
7 for a term coincident with their term on the appointing  
8 body. A Director for a Signatory may be removed or sus-  
9 pended from office only as provided by the law of the Sig-  
10 natory from which he was appointed. The nonfederal ap-  
11 pointing authorities shall also appoint an alternate for  
12 each Director. In addition, the Administrator of General  
13 Services shall also appoint two nonvoting members who  
14 shall serve as the alternates for the federal Directors. An  
15 alternate Director may act only in the absence of the Di-  
16 rector for whom he has been appointed an alternate, ex-  
17 cept that, in the case of the District of Columbia where  
18 only one Director and his alternate are present, such alter-  
19 nate may act on behalf of the absent Director. Each alter-  
20 nate, including the federal nonvoting Directors, shall serve  
21 at the pleasure of the appointing authority. In the event  
22 of a vacancy in the Office of Director or alternate, it shall  
23 be filled in the same manner as an original appointment.

24       “(b) Before entering upon the duties of his office  
25 each Director and alternate Director shall take and sub-

1 scribe to the following oath (or affirmation) of office or  
 2 any such other oath or affirmation, if any, as the constitu-  
 3 tion or laws of the Government he represents shall provide:  
 4 ‘I, , hereby solemnly swear (or affirm) that I will support  
 5 and defend the Constitution of the United States and the  
 6 Constitution and laws of the state or political jurisdiction  
 7 from which I was appointed as a director (alternate direc-  
 8 tor) of the Board of Washington Metropolitan Area Tran-  
 9 sit Authority and will faithfully discharge the duties of the  
 10 office upon which I am about to enter.’ ”.

11 (2) Subsection (a) of section 9 is amended to  
 12 read as follows:

13 “(a) The officers of the Authority, none of whom  
 14 shall be members of the Board, shall consist of a general  
 15 manager, a secretary, a treasurer, a comptroller, an in-  
 16 spector general, and a general counsel and such other offi-  
 17 cers as the Board may provide. Except for the office of  
 18 general manager, inspector general, and comptroller, the  
 19 Board may consolidate any of such other offices in one  
 20 person. All such officers shall be appointed and may be  
 21 removed by the Board, shall serve at the pleasure of the  
 22 Board and shall perform such duties and functions as the  
 23 Board shall specify. The Board shall fix and determine  
 24 the compensation to be paid to all officers and, except for  
 25 the general manager who shall be a full-time employee,

1 all other officers may be hired on a full-time or part-time  
2 basis and may be compensated on a salary or fee basis,  
3 as the Board may determine. All employees and such offi-  
4 cers as the Board may designate shall be appointed and  
5 removed by the general manager under such rules of pro-  
6 cedure and standards as the Board may determine.”.

7 (3) Section 9 is further amended by inserting  
8 new subsection (d) to read as follows (and by re-  
9 numbering all subsequent paragraphs of section 9):  
10 “(d) The inspector general shall report to the Board  
11 and head the Office of the Inspector General, an inde-  
12 pendent and objective unit of the Authority that conducts  
13 and supervises audits, program evaluations, and investiga-  
14 tions relating to Authority activities; promotes economy,  
15 efficiency, and effectiveness in Authority activities; detects  
16 and prevents fraud and abuse in Authority activities; and  
17 keeps the Board fully and currently informed about defi-  
18 ciencies in Authority activities as well as the necessity for  
19 and progress of corrective action.”.

20 (4) Section 18 is amended by adding a new sec-  
21 tion 18(d) to read as follows:

22 “(d)(1) All payments made by the local Signatory  
23 governments for the Authority for the purpose of match-  
24 ing federal funds appropriated in any given year as au-  
25 thorized under title VI, section 601, Public Law 110–432

1 regarding funding of capital and preventative maintenance  
2 projects of 1 the Authority shall be made from amounts  
3 derived from dedicated funding sources.

4 “(2) For the purposes of this paragraph (d), a ‘dedi-  
5 cated funding source’ means any source of funding that  
6 is earmarked or required under State or local law to be  
7 used to match Federal appropriations authorized under  
8 title VI, section 601, Public Law 110–432 for payments  
9 to the Authority.”.

10 **SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.**

11 The right to alter, amend, or repeal this Act is ex-  
12 pressly reserved. The consent granted by this Act shall  
13 not be construed as impairing or in any manner affecting  
14 any right or jurisdiction of the United States in and over  
15 the region that forms the subject of the compact.

16 **SEC. 3. CONSTRUCTION AND SEVERABILITY.**

17 It is intended that the provisions of this compact shall  
18 be reasonably and liberally construed to effectuate the  
19 purposes thereof. If any part or application of this com-  
20 pact, or legislation enabling the compact, is held invalid,  
21 the remainder of the compact or its application to other  
22 situations or persons shall not be affected.

23 **SEC. 4. INCONSISTENCY OF LANGUAGE.**

24 The validity of this compact shall not be affected by  
25 any insubstantial differences in its form or language as

1 adopted by the State of Maryland, Commonwealth of Vir-  
2 ginia and District of Columbia.

**3 SEC. 5. EFFECTIVE DATE.**

4        This Act shall take effect on the date of enactment  
5 of this Act.

Passed the Senate July 28, 2009.

Attest: NANCY ERICKSON,  
*Secretary.*